

UNITED STATES BANKRUPTCY COURT
Northern District of California

In re: Nelson Villianueva Reyes and)
Claire De La Cruz Reyes)
Debtor(s))
)
)
)
)

Bankruptcy No.: 10-60823
R.S. No.: LSR 70
Hearing Date: August 30, 2-11
Time: 10:00 AM

Relief From Stay Cover Sheet

Instructions: Complete caption and Section A for all motions. Complete Section B for mobile homes, motor vehicles, and personal property. Complete Section C for real property. Utilize Section C as necessary. If moving party is not a secured creditor, briefly summarize the nature of the motion in Section D.

(A) Date Petition Filed: 10/18/10 13 Chapter
Prior hearings on this obligation: 1/31/2011 Last Day to File §523/§727 Complaints:

(B) Description of personal property collateral (e.g. 1983 Ford Taurus):

Secured Creditor ☐ or lessor ☐

Fair market value: \$ _____

Contract Balance: \$ _____

Monthly Payment: \$ _____

Insurance Advance: \$ _____

Source of value: _____

Pre-Petition Default: \$ _____

No. of months: _____

Post -Petition Default: \$ _____

No. of months: _____

(C) Description of real property collateral (e.g. Single family residence, Oakland, CA):

46 Sierra Vista Place, San Jose, California

Fair market value: \$ 338,500.00 Source of value: Debtor's Scheds A&D If appraisal, date: _____

Moving Party's position (first trust deed, second, abstract, etc.): first

Approx. Bal. \$ 620,343.66

As of (date): 07/16/11

Mo. Payment: \$ 2,671.35

Notice of Default (date): 01/22/10

Notice of Trustee's Sale: none

Pre-Petition Default: \$ 2,796.00

No. of months: (per order dated 4/8/11)

Post-Petition Default: \$ 8,014.05

No. of months: 3

Advances Senior Liens: \$ _____

Specify name and status of other liens and encumbrances, if known (e.g. trust deeds, tax liens, etc.):

Position	Amount	Mo. Payment	Defaults
1 st Trust Deed: <u>Deutsche Bank Nat'l Trust Co.</u>	\$ <u>620,343.66</u>	\$ <u>2,671.35</u>	\$ <u>9,346.89</u>
2 nd Trust Deeds: _____	\$ _____	\$ _____	\$ _____
:			
:			
:			
(Total)	\$ <u>620,343.66</u>	\$ <u>2,671.35</u>	\$ <u>9,346.89</u>

(D) Other pertinent information: Debtors entered into a loan modification agreement on June 1, 2010, prior to the filing of the instant bankruptcy petition.

(E) Loan Modification Information: Not Applicable Requested by Debtor Yes No
Status of Request (**see above**) Pending No Decision Yet
Modification in Trial Period Denied (Copy of Denial Attached Hereto)

Dated: 07/16/11 /s/ Lee S. Raphael
Signature

Lee S. Raphael, Esquire, #180030
Print or Type Name

Attorney for Deutsche Bank National Trust Co. et al.